

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

WNI 20-027618
LOGS Legal Group, LLP
14000 Commerce Parkway, Suite B
Mount Laurel, NJ 08054
(856) 793-3080
Elizabeth L. Wassall, Esq. 023211995
ATTORNEYS FOR WELLS FARGO BANK, N.A.

In Re:

DONALD PIERCEY
DEBTOR

Case No.: 19-32508-MBK

Judge: HONORABLE MICHAEL B.
KAPLAN

Chapter: 13

NOTICE OF MOTION FOR COURT APPROVAL OF PAYMENT DEFERRAL

TO: William S. Wolfson, Attorney for Debtor
260 US Highway 202/31
Suite 1100
Flemington, NJ 08822

Albert Russo, Trustee
Standing Chapter 13 Trustee
CN 4853
Trenton, NJ 08650

Donald Piercey, Debtor
51 Bateman Way
Hillsborough, NJ 08844

The creditor has filed papers with the court for an Order approving the Payment Deferral, and other such relief as the Court may deem appropriate.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to approve the Payment Deferral, or if you want the Court to consider your views on the motion, then within seven (7) days prior to the scheduled hearing you or your attorney must:

File a written response in opposition to this motion explaining your position(s) and send it to:

United States Bankruptcy Court
Clarkson S. Fisher US Courthouse
402 East State Street
Trenton, NJ 08608

If you mail your response to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

You must also mail a copy to:

LOGS Legal Group, LLP
14000 Commerce Parkway, Suite B
Mount Laurel, NJ 08054

Albert Russo
Standing Chapter 13 Trustee
CN 4853
Trenton, NJ 08650

IF YOU OPPOSE THE REQUEST HEREIN YOU SHOULD ATTEND THE HEARING TO BE SCHEDULED UPON FILING OF OPPOSITION:

Honorable Michael B. Kaplan
United States Bankruptcy Court
Clarkson S. Fisher US Courthouse
402 East State Street
Trenton, NJ 08608

Pursuant to D.N.J. LBR 9013-1 (d) et seq., if you wish to contest the within motion, you must file with the Office of the Clerk of the Bankruptcy Court, responding papers stating with particularity the basis of your opposition to the within Motion. A copy of the Proposed Order which is sought is enclosed with this Motion.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: 2-10-2022

Signature /s/Elizabeth L. Wassall
Elizabeth L. Wassall, Esq.
LOGS Legal Group, LLP
14000 Commerce Parkway, Suite B
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**DEBTOR'S CERTIFICATION IN SUPPORT OF SECURED CREDITOR'S
MOTION FOR COURT APPROVAL OF PAYMENT DEFERRAL**

I, Donald Piercey, Debtor, hereby certify as follows:

1. I make this certification in support of the Secured Creditor's motion for Court approval of the Payment Deferral.
2. I, Donald Piercey ("Debtor"), advised Secured Creditor on or about April 29, 2020, that my mortgage loan ending in 5577, secured by real property at 51 Bateman Way, Hillsborough, NJ 08844 ("mortgage loan"), had been impacted by COVID-19, and I requested a COVID-19 Forbearance. See Notice of Mortgage Forbearance, ECF Doc. 38.
3. Under the terms of the COVID-19 Forbearance, I am required to cure the delinquency created by the forbearance period, which totals \$13,542.44 for June 2020 through December 2021 (nineteen months).
4. Secured Creditor has approved a deferment of the repayment of the \$13,542.44 total outstanding missed payment amounts during the forbearance period to the maturity date of the mortgage, or earlier, upon the sale or transfer of the real property, refinance of the mortgage loan, or payoff of the interest-bearing unpaid principal balance, and has adjusted the date of the next scheduled monthly payment to bring the mortgage current through December 2021.

5. I request that the Payment Deferral with the Secured Creditor be approved.

I certify that the foregoing is true to the best of my information, knowledge and belief. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Date: 1/10/22

Signature: Donald Piercey
Donald Piercey, Debtor

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DONALD PIERCEY

DEBTOR

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ORDER APPROVING PAYMENT DEFERRAL

The relief set forth on the following page, numbered two (2), is hereby ORDERED.

THIS MATTER having come before the Court upon the Secured Creditor's Notice of Motion for an Order approving a Payment Deferral, and Court having examined the evidence presented, and for good cause shown, it is hereby ORDERED as follows:

1. The Payment Deferral as between the Secured Creditor and the Debtor, as outlined in the Secured Creditor's motion, is hereby approved.
2. Secured Creditor's Proof of Claim, and the Chapter 13 Trustee's disbursements to Secured Creditor, if any, are unaffected.

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CERTIFICATION OF SERVICE

I, Ryan Carttrette, the undersigned

1. ☐ represent the _____ in the above-captioned matter.
☒ am the secretary/paralegal for Kathleen M. Magoon, Esq. and Elizabeth L. Wassall, Esq., who represents the Secured Creditor in the above-captioned matter.
☐ am the _____ in the above case and am representing myself.
2. On _____, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below:
 - Notice of Motion for Court Approval of Payment Deferral,
 - Debtor's Certification in Support of Secured Creditor's Motion,
 - Proposed Order,
 - Certification of Service.
3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Signature

Dated: 2/10/2022

/s/ Ryan Carttrette

Printed Name

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
William S. Wolfson, Esq. 260 US Highway 202/31 Suite 1100 Flemington, NJ 08822		<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
Albert Russo Standing Chapter 13 Trustee CN 4853 Trenton, NJ 08650		<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
Donald Piercey 51 Bateman Way Hillsborough, NJ 08844		<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)

* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.